

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 24-80777-CIV-CANNON

CHARLES ROTSZTAJN,

Plaintiff,

v.

**CBW BANK and PRIME
RECOVERY LLC.,**

Defendants.

/

**ORDER DIRECTING PLAINTIFF TO FILE MOTION FOR
CLERK'S DEFAULT OR MOTION TO STAY ENTIRE CASE**

THIS CAUSE comes before the Court upon a sua sponte review of the record. On June 25, 2024, Plaintiff filed its Complaint, naming CBW Bank and Prime Recovery LLC as Defendants [ECF No. 1]. Plaintiff properly served Defendant Prime Recovery on October 4, 2024, making October 25, 2024, Defendant Prime Recovery's deadline to respond or answer [ECF No. 28]. Defendant Prime Recovery did not respond by that deadline and has yet to respond or request additional time to do so.¹

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. On or before **November 20, 2024**, Plaintiff shall file a Motion for Entry of Clerk's Default that includes a certificate of service indicating that notice of this Order was sent to Defendant Prime Recovery, including the address(es) to which it was sent.
2. Alternatively, should Plaintiff wish to stay proceedings as to Defendant CBW Bank in light of the stay as to Defendant CBW Bank, Plaintiff may so indicate through an

¹ Proceedings as to Defendant CBW Bank are presently stayed pending arbitration [ECF No. 31].

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appropriate motion, due on before the same deadline of **November 20, 2024**.

3. Plaintiff's failure to file a Motion for Entry of Clerk's Default within the specified time or to file an appropriate motion may result in dismissal of the case without prejudice and without further notice as to the specified Defendant.
4. **The Clerk is directed to MAIL a copy of this Order to Defendant Prime Recovery LLC at the address listed below.**

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 12th day of November 2024.



AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record

Prime Recovery LLC
7901 4th Street N
Suite 300
St. Petersburg, Florida 33702